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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 4406/2024**

ARUN PATNI

.....Petitioner

Through: Mr. Vivek Sood, Sr. Advocate
with Mr. M.K. Guru, Mr.
Saurabh Aggarwal, Mr.
Shashwat Bhardwaj, Ms.
Medhavi and Mr. Amitanshu
Satyarthi, Advocates.

versus

THE STATE OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP
for the State.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

05.08.2025

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1. Applicant is before this Court seeking anticipatory bail for alleged offences attributed to him under Sections 74, 75, 76 78, 308(2), 308(3), 333 and 3(5) read with 61(2) of BNS qua which an FIR No. 639/2024 dated 16.10.2024 has been registered at Police Station Paschim Vihar East.

2. Matter was earlier heard by a Coordinate Bench of this Court when vide following order dated 03.02.2025, an interim concession was granted in the following terms:-

“1. This hearing has been done through hybrid mode.

2. Learned senior counsel appearing on behalf of the applicant submits that the CCTV footage of the incident dated 28.09.2024 was taken into possession by the Investigating Officer and the complainant is not seen at the place of alleged incident, i.e., Saakshara Apartments, Paschim Vihar, New Delhi.



3. Learned APP for the State on instructions of the Investigating Officer submits that the said VDR has been sent for the FSL analysis, however, the complainant has not been seen in the CCTV footage.

4. On the applicant joining the investigation as and when being called by the Investigating Officer, no coercive steps will be taken against the applicant till the next date of hearing.

5. List on 24.04.2025.

6. Let an updated status report be filed by the concerned Investigating Officer with regard to the status of the investigation before the next date of hearing.”

3. On resumed hearing today, upon a query from the Court regarding whether the petitioner had joined the investigation and fully cooperated with the Investigating Officer (IO), the learned APP, on instructions from the IO—who is present in Court—submits that the petitioner had made himself available whenever required. He has been duly interrogated, and no further information is presently needed from him. However, the learned APP clarifies that while no additional information is required at this stage, this should not be construed to mean that the petitioner will not be required to report to the IO in the future, should the need arise.

4. Be that as it may, from the aforesaid, it transpires that custodial interrogation of the applicant is not warranted.

5. Accordingly, the interim concession granted to him is made absolute subject to the compliance of the provisions/conditions envisaged under Section 482 of BNSS.

6. The I.O. shall, accordingly, cause formal arrest of the applicant and forthwith release him on bail subject to his furnishing of personal



bail bond to his satisfaction apart from the conditions under Section 482(2) *ibid*. However, it is made clear that as and when warranted, the I.O. shall give prior notice to the applicant and upon receipt thereof, the applicant shall make himself available for any further questioning.

7. The bail application is disposed of accordingly.

ARUN MONGA, J

AUGUST 5, 2025/rs